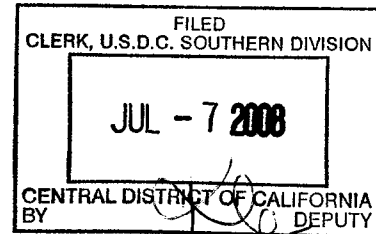


HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY  
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL *petitioner & the AG*  
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF  
RECORD IN THIS ACTION ON THIS DATE.

DATED: 7/7/08  
*[Signature]*  
DEPUTY CLERK



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

|   |  |
|---|--|
| CESAR RODRIGUEZ,<br><br>Petitioner,<br><br>vs.<br><br>JOHN F. SALAZAR, Warden,<br><br>Respondent. | ) Case No. CV 08-4325-R (RNB)<br>)<br>) ORDER TRANSFERRING ACTION TO<br>) UNITED STATES DISTRICT COURT<br>) FOR THE NORTHERN DISTRICT OF<br>) CALIFORNIA |
|---|--|

Petitioner lodged for filing a Petition for Writ of Habeas Corpus by a Person in State Custody herein on June 26, 2008. It appears from the face of the Petition that petitioner is challenging a 2006 conviction sustained in Superior Court of California for Humboldt County, which is located within the Northern District of California. See 28 U.S.C. § 84(a).

A petition for writ of habeas corpus may be filed in the United States District Court of either the judicial district in which the petitioner is presently confined or the judicial district in which the petitioner was convicted and sentenced. See 28 U.S.C. § 2241(d). Petitioner presently is confined at Chuckawalla Valley State Prison in Blythe, which is located in Riverside County and thus within the jurisdictional boundaries of this District (i.e., the Central District of California). See 28 U.S.C. § 84(c). Accordingly, jurisdiction exists in both the Northern and Central Districts.

1 When a habeas petitioner is challenging his underlying conviction or sentence,  
2 the district court for the district in which the petitioner was convicted and sentenced  
3 is a more convenient forum because of the accessibility of evidence, records and  
4 witnesses. Thus, it generally is the practice of the district courts in California to  
5 transfer habeas actions questioning state convictions/sentences to the district in which  
6 the petitioner was convicted and sentenced. Although two districts have jurisdiction  
7 to entertain the instant petition, any and all records, witnesses and evidence necessary  
8 for the resolution of petitioner's contentions are more readily available in Humboldt  
9 County. See Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Therefore, in  
10 furtherance of the interest of justice,

11 **IT IS ORDERED** that the Clerk of this Court transfer this matter to the United  
12 States District Court for the Northern District of California. See 28 U.S.C. § 2241(d).

13 **IT IS FURTHER ORDERED** that the Clerk of this Court serve a copy of this  
14 Order upon petitioner and upon the California Attorney General.

15  
16 DATED: July 7, 2008

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22  
23 MANUEL L. REAL  
24 UNITED STATES DISTRICT JUDGE

25  
26  
27  
28 Presented by:

20  
21   
22  
23 Robert N. Block  
24 United States Magistrate Judge



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**  
312 North Spring Street, Room G-8  
Los Angeles, CA 90012  
Tel: (213) 894-3535

**SOUTHERN DIVISION**  
411 West Fourth Street, Suite 1053  
Santa Ana, CA 92701-4516  
(714) 338-4750

**EASTERN DIVISION**  
3470 Twelfth Street, Room 134  
Riverside, CA 92501  
(951) 328-4450

**SHERRI R. CARTER**  
District Court Executive and  
Clerk of Court

**To:** Clerk, United States District Court  
\_\_\_\_\_ District of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Re:** Transfer of our Civil Case No. \_\_\_\_\_  
Case Title: \_\_\_\_\_

Dear Sir/Madam:

**An order having been made transferring the above-numbered case to your district, we are transmitting herewith our file:**

- ☐ Original case file documents are enclosed in paper format.  
☐ Electronic Documents are accessible through Pacer.  
☐ Other: \_\_\_\_\_  
\_\_\_\_\_

Very truly yours,

Clerk, U.S. District Court

Date: \_\_\_\_\_

By \_\_\_\_\_  
Deputy Clerk

cc: All counsel of record

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**TO BE COMPLETED BY RECEIVING DISTRICT**

**Please acknowledge receipt via e-mail to appropriate address listed below and provide the case number assigned in your district:**

- ☐ [CivilIntakecourtdocs-LA@cacd.uscourts.gov](mailto:CivilIntakecourtdocs-LA@cacd.uscourts.gov) (Los Angeles Office)  
☐ [CivilIntakecourtdocs-RS@cacd.uscourts.gov](mailto:CivilIntakecourtdocs-RS@cacd.uscourts.gov) (Riverside Office)  
☐ [CivilIntakecourtdocs-SA@cacd.uscourts.gov](mailto:CivilIntakecourtdocs-SA@cacd.uscourts.gov) (Santa Ana Office)

Case Number: \_\_\_\_\_

Clerk, U.S. District Court

Date: \_\_\_\_\_

By \_\_\_\_\_  
Deputy Clerk